



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

November 5, 2009

MEMO TO: Don Lee, Berry Jenkins, Michael Taylor, Jay Bennett, Ron Hancock, Judith Corley-Lay, Stuart Bourne, Randy Garris, Jonathan Bivens, Dennis Wofford, Ed Spencer, Brian Webb, Michael Manning, Gerard Pilcher, Jim Seybert and Ben Lanier, Joe Coleman

FROM: R. A. Garris, PE
Contract Officer

SUBJECT: AGC/Roadway Subcommittee Meeting

The subject committee met on October 22, 2009 at 9:30 a.m. in the Riverwood Conference Room at the Century Center with the following in attendance:

Jay Bennett	Scott Hidden	Ted Sherrod
Jonathan Bivens	Berry Jenkins	Norma Smith
Ken Cates	Ben Lanier	Lamar Sylvester
Judith Corley-Lay	Don Lee	Michael Taylor
Randy Garris	Mike Manning	Njoroge Wainaina
C.A. Gardner	Jim Seybert	Brian Webb
Ron Hancock	Larry Schmidt	Dennis Wofford
Tom Hearne		

1. UNDERDRAINS FOR LONG-TERM APPLICATION

Njoroge Wainaina discussed underdrain details for long term application. Pay items for the stone and the fabric will be added to the contract.

2. SPECIAL PROVISION AND DETAIL FOR GEOTEXTILE PAVEMENT STABILIZATION

Scott Hidden distributed a copy of the Special Provision for Geotextile Pavement Stabilization and the accompanying detail. Berry Jenkins sent these documents out for a preliminary review prior to the meeting. Tom Hearne presented a slide show of longitudinal cracks in asphalt pavement and a possible solution to the problem. Both the Industry and Department representatives offered comments and suggestions for the issue.

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ENTRANCE B-2
1020 BIRCH RIDGE DRIVE
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3. RS-1-D FORM DBE/MBE/WBE SUBCONTRACT CERTIFICATION

Lamar Sylvester passed out a revised copy of the RS-1-D form based on discussion at the last AGC/DOT Roadway Subcommittee meeting in August. Berry emailed the revised version to his members for a prior review. After discussion, the Department agreed to further review and revise the language and to determine if the RS-1 A through D could be combined. The Industry was requested to submit a disclaimer to use in the form.

4. NPDES CONSTRUCTION GENERAL PERMIT FOR SHOULDER RECONSTRUCTION/DROP OFF REPAIRS ON RESURFACING PROJECTS

Ted Sherrod updated the Committee on this issue, which was originally discussed at the June 2009 meeting and discussed again at the August 2009 meeting.

Ted reminded the Committee that the extension on the Erosion & Sediment Control/Stormwater certifications ends on December 31, 2009. The extension was in place due to the downturn of the economy.

5. POLICY ON UTILIZATION OF QUADRANTS & RESIDUAL NCDOT PARCELS FOR BORROW AND WASTE

Jonathan Bivens asked if there were written policies, standards, or design criteria in place for using quadrants for borrow and waste. Jonathan said several other states have borrow ponds without huge liability issues. The Department replied that there are many issues that have to be reviewed on a project by project basis; there is no policy on the use of quadrants and residual parcels for borrow and waste. Jay Bennett will discuss these areas with the project engineers at the next Roadway Design Unit Staff meeting.

6. PAY ITEM FOR SILT AT PROJECT SITE WHEN ALL EROSION CONTROL MEASURES ARE IN PLACE

Michael Taylor said removal of silt at project sites when all erosion control measures are in place is not paid for consistently or enforced consistently across the state. The Department said the silt excavation pay item should cover payment for removal and recovery of silt on DOT right of way and easements. If the contractor has constructed and maintained the sediment control device properly as documented in NPDES records and sediment escapes right of way or easements, the contractor should request payment for extra work directly to the Resident Engineer. If the contractor was negligent in constructing and maintaining, and sediment escapes from the right of way or easements, no payment should be made for retrieval. If problems persist at a site, the contractor should request review and redesign. The contractor should exercise due diligence on such items as pit dewatering to ensure discharge volumes and velocities do not cause pollution beyond DOT right of way.

7. DESIGN BUILD PAYOUT SCHEDULE FOR DESIGN-BID-BUILD

Ron Hancock distributed a draft Special Provision revised from a Design Build project to a Design-Bid-Build Project. Ron explained that it is to monitor cash flow only; it is not tied to the cash flow and would be used on projects of over \$50 million only. The Industry voiced concerns about what happens if they are ahead of schedule or giving the Department quarterly updates. How would that affect the payout schedule? The Department said this is used by accountants to forecast funds only. The special provision for estimated payouts will continue to be included in the contract.

The next meeting will be held on **December 17, 2009 at 9:30 am in the Riverwood Conference Room**, Century Center, Building B.

The meeting schedule for 2010 will be distributed at the next meeting.

C: Victor Barbour, PE
Ellis Powell, PE